UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	09/731,912	BIER, ERIC ALLAN
Office Action Summary	Examiner	Art Unit	
	Chau Nguyen	2176	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 August 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-13,15,16,18-21,23-34,37,38,41,42 and 45-48* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-13,15,16,18-21,23-34,37,38,41,42 and 45-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   In view of the BPAI Decision – Examiner Affirmed received on 06/14/2007, PROSECUTION IS HEREBY REOPENED.   A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

2.   Amendment/Argument after BPAI Decision received on 08/14/2007 has been entered. Claims 1-3, 5-13, 15-16, 18-21, 23-34, 37-38, 41-42, and 45-48 are currently pending. Claims 35-36, 39-40, and 43-44 are canceled without prejudice or disclaimer.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.   Claims 1, 12 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing

to comply with the written description requirement. The claims 1, 12 and 20 contain

newly added amendment "**a content item editing merging device that determines in**

real-time whether a content item modified by an author is compatible with the

template information edited by the user during the content item modification,

adjusts one or more parts of the modified content item to re-establish

compatibility with the edited template information based on the determination",

which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention.

In the Remarks filed on 08/14/2007, the applicant has pointed out that the

paragraph [0011] of the published application would support the newly added

amendment. The examiner disagrees. The paragraph [0011] cites "The exemplary

systems and methods of this invention provide tools for group editing of electronic

documents. In particular, the tools allow for group editing of web pages. By parsing a

web page and locating elements, such as items, templates, and formatting code, such

as HTML, within a web page, a user is presented with a user interface that allows for

editing of those elements. Furthermore, by performing a check, upon completion of

editing of one or more elements within a web page, the updated web page is merged

with the "live" version of the web page to incorporate any changes that may have also

been made by other users. In this manner, the web page remains live, and changes

made to the live group- editable page are not lost." This paragraph includes "performing

a check", NOT **determines in real-time whether a content item modified by an author is compatible with the template information edited by the user during the content item modification,** and "the updated web page is merged with the "live" version of the web page to incorporate any changes that may have also been made by other users", NOT **adjusts one or more parts of the modified content item to re-establish compatibility with the edited template information based on the determination.** For the purpose of this examination, the examiner will consider the newly added limitation interpreted as the meaning of paragraph [0011] which is "by performing a check, upon completion of editing of one or more elements within a web page, the updated web page is merged with the "live" version of the web page."

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-3, 5-13, 15-16, 18-21, 23-34, 37-38, 41-42, and 45-48 are rejected under 35 U.S.C. 103(a) being unpatentable over Bay-Wei Chang, "In-Place Editing of Web Pages: Sparrow Community-Shared Documents", published 04/1998 (hereinafter Chang), in view of Giljum et al. US006745238B1- filed 03/31/2000 (hereinafter Giljum '238), and further in view of Zhu et al, US Patent No. 6,654,032 (hereinafter Zhu).

In regard to independent claim 1, **A group-editable web page editing system comprising:**

an element selection device that selects a portion of an electronic document, wherein the selected portion includes at least one of template information (the Chang reference describes the claimed group-editable web page editing system, in the form of in-place editing of Sparrow community-shared web page documents (Chang's Title, page 1). The Chang reference further describes the claimed an element selection device that selects a portion of an electronic document, wherein the selected portion includes information stored within the electronic document, in the form of clicking on a black triangle (page 3, lines 2-3 and Figure 2), and the information selected in Chang is content information.

formatting information stored within the electronic document; an editing device that determines an edit user interface and allows editing of the selected portion through the edit user interface, wherein the edit user interface allows editing of at least one of the template information or the formation information of the selected portion (The Chang reference describes the electronic document is an HTML document with template, formatting, and content information (page 5, lines 16-19, page 11, line 5, pages 11-12, section 4.1, and pages 13-14, section 4.5. The Chang reference also describes the formatting information comprises codes which are distinct from editable content items. Page 14 shows standard "<B>" and "</B>" HTML bold formatting information stored within the electronic document and distinct content information "Abe L." stored within the document. The Chang reference further

describes that the formatting information is editable by an authorized user (page 11, line 2);

and an updating device that replaces the selected portion with the edited portion (The Chang reference describes the claimed an updating device that replaces the selected portion with the edited portion, in the form of supplanting the original (page 4, lines 3-5).

Chang teaches the desirability of editing template or format information (page 11, line 2). To support the teaching of Chang, Giljum teaches that it is desirable to edit the template or "style" and edit the formatting or "fonts" of web pages (col. 8, lines 3-5 and col. 8, lines 52-54).

Thus both Chang and Giljum provide a sufficient suggestion to a person of ordinary skill in the art at the time the invention was made to modify Chang's system to include group editing of template or formatting information in addition to Chang's group editing of content information.

by performing a check, upon completion of editing of one or more elements within a web page, the updated web page is merged with the "live" version of the web page (The Chang reference teaches that the contributor (user) makes changes to the item (element), and when he is done making changes to the item, and clicks the "OK" button, Sparrow makes the change to the web page and redirects the user's browser back to the original URL, which now shows the newly altered page (page 5, lines 1-4). The Chang reference further describes an edit merging device that merges first modified content information back to into the electronic document even if second

content information was altered while the first information was modified (page 7, lines 16-19, page 14, section 4.6). Thus these imply the updated web page is merged with the "live" version of the web page.

To support the implication of Chang, Zhu teaches a conferencing server distributes the shared screen (electronic document) to a plurality of remote clients, each of the remote clients having a viewer application to display the share screen, and the shared screen being simultaneously displayed during the live data conference (col. 11, lines 11-18). Zhu further describes receiving user input form one of the remote clients and drive the application to edit the application screen based on the user input to produce an application screen update which is used to create a shared screen update (col. 11, lines 19-29). Zhu further describes sending the shared screen update to the conferencing sever, and the conferencing server distributes the shared screen update to the remote clients, and the shared screen update being simultaneously displayed during the live data conference (col. 11, lines 30-38).

Thus both Chang and Zhu provide a sufficient suggestion to a person of ordinary skill in the art at the time the invention was made to modify Chang's system to include merging the update information edited from the user input to create shared screen update being simultaneously displayed during the live data conference in addition to Chang's merging the modify content information back into the electronic document.

In regard to independent claims 12 and 20, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale. Examiner read the above in the broadest reasonable interpretation to the

claim limitation, wherein a user interface would have been an obvious variant of users' computers and user manipulation of a graphical user interface, to a person of ordinary skill in the art at the time the invention was made.

In regard to dependent claims 2-3, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and are similarly rejected along the same rationale; **accounts for one or more edits by other users and are stored in a queue** (as taught by Chang, page 1, Introduction Section, discloses the Web pages are jointly edited by more than one person, much meta-information about the page must be distributed in addition to its URL: who is currently editing the page, where the page is stored in the files system, who has permission to write to that file system, and so on).

In regard to independent claim 5, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

In regard to dependent claim 6, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and is similarly rejected along the same rationale;

represents at least one non-selected portion of the electronic document with a place holder (Chang at page 7, section 2.2, discloses a lightweight editing technology for the Web, wherein one item at a time being edited using "Editing in-place", and during editing, the context of the rest of the page remains in place. The metaphor used is that of the outliner: the triangle graphic turns downwards to open up a region holding more detail, in this case, an editing region. Meanwhile, the page content

above and below the editing region remains unchanged and visible. The user is free to browse the rest of the page even when editing, Chang at page 1, Introduction section, prescribing the types of editing allowed, and presenting forms for user interaction. In addition the interface attempts to leverage existing conventions in order to allow first-time users to feel comfortable initiating an edit without prior instruction) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein place holder would have been an obvious variant of the editing region remains unchanged and visible and presenting forms for user interaction, to a person of ordinary skill in the art at the time the invention was made.

In regard to dependent claim 7, incorporate substantially similar subject matter as cited in claims 1 and 6 above, and is similarly rejected along the same rationale. 13, and is similarly rejected under the same rationale.

In regard to dependent claim 8, the element selection device permits selection of all portions of the electronic document that are associated with a given portion class (Chang at page 10, section 3.3, Interview schedule, discloses the interview schedule which is an example of a class of Sparrow pages...), and also at page 13, section 4.4 Fields, Python subclass.

In regard to dependent claim 9, the portion classes include the class of items, the class of templates, and the class of remaining code (Chang, at page 11, section 4.1 paragraph 1, Sparrow provides flexible authoring for creating many different kinds of content. Sparrow items are specified declaratively, by creating a template that includes the fields that will be used and the HTML formatting around the field entries...).

In regard to dependent claim 10, a user may select and edit portions of the template class, while one or more other users may simultaneously edit portions of the item class (Chang, at page 14, section 4.6, paragraph 1, discloses a method, wherein one user may change an item on a page without affecting other users who are editing other items on the same page...).

In regard to dependent claim 11, one user may select and edit portions of the remaining code class (Chang, at page 15, section 5 paragraphs 5, discloses Web Edit [6], Web Writer [2, 3], and Wiki Web all implement browser-based editing of Web pages. Like Sparrow, these systems allow one to edit pages directly within the browser, thus freeing the user from starting another tool or knowing where the page is stored on the filesystem. Unlike Sparrow, they require knowledge of HTML and editing occurs over the entire contents of a page...).

In regard to dependent claims 13 and 21, incorporate substantially similar subject matter as cited in claim 2 above, and are similarly rejected along the same rationale.

In regard to dependent claims 15, 16, 18, 23, 24, 26 and 32 incorporate substantially similar subject matter as cited in claim 6 above, and are similarly rejected along the same rationale.

In regard to dependent claim 19, incorporate substantially similar subject matter as cited in claim 9 above, and is similarly rejected along the same rationale.

In regard to dependent claim 25, incorporate substantially similar subject matter as cited in claims 1 and 3 above, and further view of the following and is similarly

rejected along the same rationale;

instruction that unlocks the electronic document... however (Giljum '238 at col. 12, line 30 through col. 13, line 50, also see Fig. 10 through Fig. 13, provides a mechanism to grant folder privileges to groups, wherein the Web Site Database includes an interface for adding new items (e.g., the files, text and URLs) to the Web Site. In addition, this interface permits the user, with the proper privileges user s are providing "check out item" (e.g. no other contributor may edit the item) tool applies only to items enabled for check out and a "checked-in item" tool permits a contributor to return the updated item to the folder after editing it) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein instruction that unlocks the electronic document would have been an obvious variant of a "checked-in item" tool permits a contributor to return the updated item to the folder after editing it (e.g.. Web Site), to a person of ordinary skill in the art at the time the invention was made.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Chang's teaching, discloses a group-editable web page editing system comprising: formatting information stored within the electronic document, and an updating device that replaces the selected portion with the edited portion, to includes a means of instruction that unlocks the electronic document of Giljum '238. One of the ordinary skill in the art would have been motivated to modify this combination to enable the content contributor (e.g. to create a web site, the person, referred to as the content contributor, submits the content (e.g., files and images) to the

web site administrator for publication) may not be technical and may not have any knowledge of HTML, and eliminating a bottleneck the web site administrator prior to publishing the content, and ensuring that the content is up to date and accurate (as taught by Giljum '238 at col. 1, lines 30-55).

In regard to dependent claim 27, incorporate substantially similar subject matter as cited in claim 9 above, and is similarly rejected along the same rationale.

In regard to dependent claims 28 and 30, incorporate substantially similar subject matter as cited in claims 1 and 12 above, and are similarly rejected along the same rationale.

In regard to dependent claim 29, incorporate substantially similar subject matter as cited in claims 1 and 12 above, and is similarly rejected along the same rationale. Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein is web page would have been an obvious variant of an electronic document, to a person of ordinary skill in the art at the time the invention was made.

In regard to dependent claims 31 and 33, incorporate substantially similar subject matter as cited in claims 1, 12 and 29 above, and are similarly rejected along the same rationale.

In regard to dependent claims 34, 38 and 42, Chang discloses wherein the formatting information comprises at least one of text, images, and formatting codes editable by one or more authorized users, and wherein the formatting information is distinct from editable content items of the electronic document (page 5, lines 16-19,

page 11, line 5, pages 11-12, section 4.1, and pages 13-14, section 4.5: Chang

describes the electronic document is an HTML document with template, formatting and

content information, the formatting information comprises codes which are distinct from

editable content item. Page 14 shows standard "<B>" and "</B>" HTML bold formatting

information stored within the electronic document and distinct content information "Abe

L." stored within the document. Chang further describes that the formatting information

is editable by an authorized user (page 11, line 2).

In regard to dependent claims 37, 41 and 45 incorporate substantially similar

subject matter as cited in claims 1, 6 and 12 above, and are similarly rejected along the

same rationale.

In regard to dependent claim 38, incorporate substantially similar subject

matter as cited in claim 34 above, and is similarly rejected along the same rationale.

In regard to dependent claim 42, incorporate substantially similar subject

matter as cited in claims 9 and 35 above, and is similarly rejected along the same

rationale.

In regard to dependent claims 46-48, Chang describes a template edit merging

device that merges a modified item template back into the electronic document even if a

user edits the content of one or more items managed by the item template in real-time,

while the item template item was being modified by an author (Chang teaches merging

first modified content information back into the electronic document even if second

content information was altered while the first information was modified(page 7, lines

16-19; page 14, section 4.6). That is, "pages are not locked during group editing" and

edits must be resolved by the user only if "an edit to the same item has occurred." Thus it would conclude that the references provide a sufficient suggestion to those skilled in the art to modify the Chang system to permit merging of modified first information back into the electronic document even if second information was altered while the first information was modified in real-time, so long as the first and second information are not the same information.

To support the implication of Chang, Zhu teaches a conferencing server distributes the shared screen (electronic document) to a plurality of remote clients, each of the remote clients having a viewer application to display the share screen, and the shared screen being simultaneously displayed during the live data conference (col. 11, lines 11-18). Zhu further describes receiving user input form one of the remote clients and drive the application to edit the application screen based on the user input to produce an application screen update which is used to create a shared screen update (col. 11, lines 19-29). Zhu further describes sending the shared screen update to the conferencing sever, and the conferencing server distributes the shared screen update to the remote clients, and the shared screen update being simultaneously displayed during the live data conference (col. 11, lines 30-38).

Thus both Chang and Zhu provide a sufficient suggestion to a person of ordinary skill in the art at the time the invention was made to modify Chang's system to include merging the update information edited from the user input to create shared screen update being simultaneously displayed during the live data conference in addition to Chang's merging the modify content information back into the electronic document.

Response to Arguments

In the remarks, Applicant argued in substance that

A) "Neither Chang, Giljum nor Skok, alone or in combination, teach or suggest a method, system, or medium for editing a group editable web page including the features of "a content item editing merging device that determines in real-time whether a content item modified by an author is compatible with the template information edited by the user during the content item modification, adjusts one or more parts of the modified content item to re-establish compatibility with the edited template information based on the determination, and merges the adjusted content item with the edited template information back into the electronic document." (see page 10 of Remarks)

In reply to argument A, applicant's arguments with respect to the newly added limitation have been considered but are moot in view of the new ground(s) of rejection as explained here below, necessitated by Applicant's substantial amendment to the claims 1, 12 and 20 which significantly affected the scope thereof. Please see the rejection above.

B) Chang does not teach a group-editable page that allows use of a user interface to edit and merge template information in real-time.

Chang reference describes the claimed group-editable web page editing system, in the form of in-place editing of Sparrow community-shared web page documents (Chang's Title, page 1). The Chang reference further describes the claimed an editing

device that determines an edit user interface and allows editing of the selected portion

through the edit user interface, wherein the edit user interface allows editing of

information of the selected portion (page 4, lines 1-3). Change also describes the

claimed merge template information in real-time (page 7, lines 16-19, page 14, section

4.6). The Chang reference teaches that the contributor (user) makes changes to the

item (element), and when he is done making changes to the item, and clicks the "OK"

button, Sparrow makes the change to the web page and redirects the user's browser

back to the original URL, which now shows the newly altered page (page 5, lines 1-4).

Thus these imply merging template information in real-time.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy

as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chau Nguyen whose telephone number is (571) 272-

4092. The examiner can normally be reached on 8:30 am – 5:30 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Doug Hutton, can be reached on (571) 272-4137. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306

to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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